

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

DATE: July 1, 2008

**STATE AGENCIES & CONTRACTORS
PLEASE ADDRESS INQUIRIES TO:**

GROUP/AWARD: [73012/S960275-E.1](#) –
IT Services

CONTRACT PERIOD: from award date thru 12/31/10

Pat Weidman, Team Leader
(518) 473-2045
pat.weidman@ogs.state.ny.us

GROUP/AWARD: [73003/20099](#) –
Temporary Personnel Services

CONTRACT PERIOD: 11/19/07 – 11/18/12

Dewan Bristo, Purchasing Officer
518-486-2519
dewan.bristo@ogs.state.ny.us

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

SUBJECT: Compliance with Federal Immigration Law

TO CONTRACTORS AND ALL STATE AGENCIES AND OTHER AUTHORIZED USERS:

The purpose of this communication is to emphasize the importance of compliance with the Federal Immigration laws and regulations regarding the use of foreign workers in the performance of New York State contracts. The employment of certain foreign workers in the United States is permissible under Federal Immigration law. Specifically, the Immigration Act of 1990 established the H-1B visa which allows the employment of foreign employees within certain contexts. The H-1B visa permits an employer to temporarily employ a foreign nonimmigrant worker in a specialty occupation which requires “theoretical and practical application of a body of highly specialized knowledge” and a “bachelor degree or higher in the specific specialty,” 8 U.S.C. § 1184 (2008). Failure to comply with the Immigration Act of 1990 as well as any Federal laws and regulations pertaining to the employment of foreign workers could result in a determination that a vendor is non-responsible.